

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**UNITED STATES OF AMERICA**  
**upon the relation and for the use of the**  
**Tennessee Valley Authority**

**PLAINTIFF**

**V.**

**NO. 3:22-CV-23-DMB-RP**

**AN EASEMENT AND RIGHT-OF-WAY  
OVER 2.68 ACRES OF LAND, MORE OR  
LESS, IN DESOTO COUNTY,  
MISSISSIPPI, et al.**

**DEFENDANTS**

**JUDGMENT**

As indicated in the order on the parties' "Joint Motion for Entry of a Proposed Judgment and Order Disbursing Funds," Plaintiff and Defendant Cedarwood Farms, L.L.C. have agreed to resolve this action with the total amount of compensation to be awarded for the condemned property rights being \$60,600 plus interest accrued thereon.

The record in this case shows that Defendants First Horizon Bank, Thomas F. Baker, IV, Trustee and H. Lee Shaw, Trustee, have disclaimed their interests in the compensation award and agreed that judgment may be entered without further notice to them, Doc. #30-1; that Plaintiff has deposited with the registry of this Court the total amount of \$60,600, Doc. #7; that interest has accrued on the deposited amount ("Accrued Interest"); and that \$60,600 was previously disbursed to Cedarwood Farms, LLC by prior order of this Court, Doc. #36, leaving only the accrued interest on deposit in the Court's registry, the disbursement of which is addressed herein.

It is, therefore, **ORDERED AND ADJUDGED:**

1. Defendant Cedarwood Farms, L.L.C. shall recover of the Plaintiff \$60,600 plus the Accrued Interest less the applicable registry fee as full compensation for the taking of the property

rights herein condemned.

2. The Clerk of this Court is authorized and directed to draw a check on the funds on deposit in the registry of this Court in an amount equal to the Accrued Interest less the applicable registry fee payable to “Cedarwood Farms, L.L.C., c/o Paul R. Scott, Esq.”, and to mail such check to Paul R. Scott, Esq., 2545 Caffey Street, Hernando, Mississippi 38632, in full satisfaction of this Judgment.

3. The vesting of title in the United States of America, free of all liens, claims, and encumbrances, as evidenced by the Declaration of Taking filed herein on February 3, 2022, Doc. #2, is hereby fully and finally confirmed with respect to the following-described property rights, such description being the same as in Attachment 1 to the Declaration of Taking filed herein, Doc. #2-1:

Permanent easement and right-of-way, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with sufficient wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, including guy wires, in, on, over, and across said right-of-way, together with the perpetual right to clear said right-of-way and keep the same clear of structures (including but not limited to flagpoles, solar panels, buildings, signboards, billboards), trees, brush, stored personal property, and fire hazards, to destroy or otherwise dispose of such trees and brush; to prevent the drilling or sinking of wells within the right-of-way; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five feet of any line, structure, appurtenance, or conductor (including structures and conductors being on and over adjacent land), the Tennessee Valley Authority to remain liable for any direct physical damage to the land and annual growing crops resulting directly from the operations of the construction and maintenance forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said transmission line structures, all upon, under, over, and across the following-described land:

TRACT NO. MWND-30

A strip of land located in Section 13, Township 1 South, Range 7 West, of DeSoto County, Mississippi, as shown on map entitled “Olive Branch-DeSoto Rd. Transmission Line Tap to Mineral Wells Tap to North DeSoto, Mississippi Substation,” drawing LW-5463, Sheet P10DCCB, R.2, a reduced scale copy of which is attached to the Declaration of Taking filed herein, the said strip being

100 feet wide, lying 50 feet on each side of the centerline of the transmission line location, the centerline of the location and the end boundaries of the strip being more particularly described as follows:

Commence at the northwest corner of Cedarwood Farms, L.L.C., of record in Book 481, page 13 in the office of the Chancery Court Clerk of DeSoto County, Mississippi, on the Mississippi-Tennessee State Line; thence easterly along the said State line 522 feet +/- to a point on centerline of the location at station 145+53.7, and being the Point of Beginning.

The said strip being bounded on the north end by the said property line; thence with the centerline of the location S. 24° 45' 57" W., 1,062.41 feet to a point of intersection on the centerline of the location at station 156+16.11 having the state plane coordinates of North: 1998248.75 East: 2427074.54; thence with the centerline of the location S. 83° 45' 24" W., 104.89 feet to a point of ending on the Bott Broadcasting Company property line, of record in Book 206, page 126 in said Clerk's office, on the centerline of the location at station 157+21.0, the said strip being bounded on the west end by the said property line, the ends of said strip are shortened or extended to said property lines.

The above-described strip of land includes the centerline of the transmission line location for a net distance of 1,167.3 feet and contains 2.68 acres, more or less.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structure located at survey station 156+16.11.

The coordinates, distances and directions of lines are referred to the Mississippi West State Plane Coordinate System, NAD83(2011) Horizontal Datum, NAVD88 (Geoid12A) Vertical Datum.

Record landowner as of the date of the filing of the Declaration of Taking – Cedarwood Farms, L.L.C. (Deed Books 169, 206, 222, and 481, pages 201, 124, 502, and 13, respectively, in the office of the Chancery Court Clerk of DeSoto County, Mississippi)

4. The Clerk of this Court shall furnish to Plaintiff a certified copy of this Judgment which shall serve as a muniment of title.

5. The Clerk of this Court shall administratively terminate and close this action.

**SO ORDERED**, this 21st day of September, 2022.

**/s/Debra M. Brown**  
**UNITED STATES DISTRICT JUDGE**